

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BILLY BRANTLEY, et al.	:	Case No.	1:01cv378
	:		
Plaintiffs,	:	Judge Susan J. Dlott	
	:	Magistrate Judge Timothy S. Black	
vs.	:		
	:	AGREED ORDER HOLDING	
CINERGY CORP.	:	IN ABEYANCE HEARING AND	
	:	RULING ON DEFENDANT,	
Defendant.	:	CINERGY CORP.'S, MOTION	
	:	TO COMPEL	

With consent of counsel and the court being in all respects duly and sufficiently advised, IT IS HEREBY ORDERED that the hearing and ruling on Defendant, Cinergy Corp.'s, Motion to Compel (Doc. 40) shall be held in abeyance pending a ruling on Defendant, Cinergy Corp.'s, Motions for Summary Judgment as to the four named Plaintiffs.

s/ Timothy S. Black  
Timothy S. Black, Magistrate Judge  
United States District Court

/s/ Jill T. O'Shea  
Jill T. O'Shea (0034692)  
Attorney for Defendant  
Cinergy Corp.  
139 East 4<sup>th</sup> Street, 25 Atrium II  
P. O. Box 960  
Cincinnati, Ohio 45201-0960  
Phone: (513) 287-2062  
Fax: (513) 287-2996  
E-mail: [joshea@cinergy.com](mailto:joshea@cinergy.com)

/s/ Gregory v. Mersol (JTO)

Gregory V. Mersol (0030838)

John B. Lewis (0013156)

Baker & Hostetler LLP

3200 National City Center

1900 East Ninth Street

Cleveland, OH 44114-3485

Phone: (216) 621-0200

Fax: (216) 696-0740

E-mail: [gmersol@bakerlaw.com](mailto:gmersol@bakerlaw.com)

Attorneys for Defendant

Cinergy Corp.

/s/ Robert F. Childs (per telephone authorization 1/9/06)

Robert F. Childs

Susan Donahue

Robert L. Wiggins

Ann K. Wiggins

Herman N. Johnson, Jr.

Allison Lowell

Wiggins, Childs, Quinn & Pantazis, P.C.

1400 South Trust Tower

420 North 20th Street

Birmingham, Alabama 35203

Phone: (205) 314-0575

Fax: (205) 254-1500

E-mail: [bvg@wcqp.com](mailto:bvg@wcqp.com)

/s/ David D. Kemmer (per telephone authorization of RFC on 1/9/06)

Paul H. Tobias (0032415)

David D. Kammer (0061808)

Tobias, Kraus & Torchia

911 Mercantile Library Building

414 Walnut Street

Cincinnati, Ohio 45202

Phone: (513) 241-8137

Fax: (513) 241-7863

E-mail: [davek@tktlaw.com](mailto:davek@tktlaw.com)

David W. Sanford  
Sanford, Wittels & Heisler, LLP  
2121 K Street, N.W.  
Suite 700  
Washington, DC 20037  
Phone: (202) 942-9124  
Fax: (202) 628-8189  
E-mail: [dsanford@davidssanford.com](mailto:dsanford@davidssanford.com)

Grant E. Morris  
LAW OFFICES OF GRANT E. MORRIS  
2121 K Street, N.W.  
Suite 700  
Washington, DC 20037  
Phone: (202) 331-4707  
Fax: (202) 628-8189  
E-mail: [grantmorris@grantmorrislaw.com](mailto:grantmorris@grantmorrislaw.com)